IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.358 OF 1985

M/s. Shiva Paper Mills Ltd ...Plaintiffs

Versus

M/s.Canadian Pacific Bermuda & Co. ...Defendants

None for the Plaintiffs.

Shri U.J.Makhija with Parag Khandhar i/by Mulla & Mulla for the Defendant No.2.

CORAM : ABHAY S.OKA, J.
DATED : AUGUST 13, 2007.

P.C.:

1. The suit appeared on board on 09th July and 24th July, 2007. By order dated 24th July, 2007 the Plaintiffs were directed to file affidavits in lieu of examination-in-chief of their witnesses.

2. Today when the suit is called out none appears for the Plaintiffs. The counsel for the second Defendant is present. The suit is of the year 1985. Hence, I have no option but to dismiss the suit in default. Accordingly, the suit is dismissed in default.

JUDGE